

**REMARKS**

By this amendment under 37 CFR §1.111, Applicant requests that prosecution be reopened. Reconsideration and allowance are respectfully requested.

Although the rejection of claims 23-24 under 35 U.S.C. §101 has been withdrawn, a new ground of rejection under 35 U.S.C. §101 has been made of claims 22 and 24. Amended claims 22 and 24 now recite a computer-readable medium encoded with a computer program, which as the Examiner indicates at the top of page 4 of the Answer, is statutory. Accordingly, the new §101 rejection should be withdrawn.

In the Answer, the Examiner indicates that the prior art rejection based on Burgun has been withdrawn, and that the prior art rejection of claim 2-4, 23, 24, 26-28, and 46 based on Nightingale has been withdrawn. That leaves only the prior art rejection of claims 1, 5-9, 11-14, 16, 17, 19, 20, 22, 25, 29-33, 35-38, 40, 41, 43, and 44 based on Nightingale. But this rejection is moot given that claim 1 now incorporates the allowable feature of dependent claim 2 and claim 25 incorporates the allowable feature of dependent claim 26.


Because all outstanding rejections have been overcome, the application is in condition for allowance. An early notice to that effect is requested.

HOULIHANE  
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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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